



**IT IS ORDERED as set forth below:**

**Date: September 8, 2023**

A handwritten signature in blue ink that reads "Sage M. Sigler".

**Sage M. Sigler  
U.S. Bankruptcy Court Judge**

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:	)	BANKRUPTCY CASE
	)	
ALEXANDER VILLAMAR,	)	NO. 20-65120-SMS
	)	
Debtor.	)	
-----		
MIDFIRST BANK,	)	CONTESTED MATTER PROCEEDING
	)	
Movant.	)	
	)	CHAPTER 13
	)	
vs.	)	
	)	Judge: Sage M. Sigler
ALEXANDER VILLAMAR,	)	
K. EDWARD SAFIR, Trustee,	)	
	)	
Respondents.		

ORDER GRANTING MOTION TO LIFT STAY (DOC NO. 71)

By Order entered March 8, 2023 (Doc. No 60), the Debtor was required to make certain payments to Movant. The Order further provided that if the Debtor failed to make such payments in a timely

fashion, then after ten (10) days' notice, Movant could submit a motion and Affidavit detailing the default to the Court and request the automatic stay be lifted. Movant having submitted a *Motion for Order Lifting Stay* August 29, 2023 (DOC NO 71) with supporting Affidavit in which the Affiant states that the Debtor failed to make payments provided for in the Order; It is

HEREBY ORDERED AND ADJUDGED that the 11 U.S.C. Section 362(a) automatic stay is lifted as to Movant, its successors and assigns, regarding the real property and premises commonly known as 4656 N Springs Rd NW, Kennesaw, Georgia 30144, (the "Collateral"); it is

FURTHER ORDERED that Movant, its successors and assigns, is allowed to proceed to assert its rights, including, but not limited to, the institution and completion of foreclosure proceedings, and to assert any and all of its respective rights and remedies under applicable law, as to its Collateral; it is

FURTHER ORDERED that the Trustee shall cease funding the balance of Movant's pre-petition arrearage claim and supplemental claim, if any; it is

FURTHER ORDERED that upon the completion of any foreclosure sale, any funds in excess of the amount due to the Movant under its Note and Security Deed, and to any subordinate lienholder(s) properly entitled to receive proceeds under applicable State Law, shall be paid to the Trustee for the benefit of the estate; it is

FURTHER ORDERED that The Trustee shall reduce movant's claim relating to this Collateral to the amount paid. Movant is granted leave to seek allowance of a deficiency claim, if appropriate.

[END OF DOCUMENT]

ORDER PRESENTED BY:

/s/Ciro A Mestres  
Ciro A Mestres  
Georgia BAR NO. 840253  
McCalla Raymer Leibert Pierce, LLC  
Attorney for Creditor  
1544 Old Alabama Road  
Roswell, GA 30076  
678-281-6516

DISTRIBUTION LIST

Ciro A Mestres  
Bankruptcy Department  
McCalla Raymer Leibert Pierce, LLC  
1544 Old Alabama Road  
Roswell, Georgia 30076-2102

Alexander Villamar  
4656 N Springs Road NW  
Kennesaw, GA 30144

E.L. Clark  
Clark & Washington, LLC  
Bldg. 3  
3300 Northeast Expressway  
Atlanta, GA 30341

K Edward Safir  
Standing Chapter 13 Trustee  
Suite 1600  
285 Peachtree Center Ave. NE  
Atlanta, GA 30303